/218 cont./

692 only in putting forward property claims, and then only in the rare cases in which self-help is not preferred to legal procedure. The prosecution of a punishable deed does not take place by official action, but only on the basis of a complaint raised by the injured party. Judicial proceedings are generally customary.

685 The procedure in the penal case of a livestock theft, which occurs frequently, is to be shown. It is to be assumed that an ox has been stolen in the pasture. If the boy tending the livestock observed the theft, he notifies the owner of the herd (father or brother of the herdsman) upon coming home in the evening. Otherwise the wives of the owner, in looking over the livestock, immediately notice the loss, since they know every head precisely. All the conversation in the kraal only revolves around the theft, and through that it becomes known on that same evening, not only in the home kraal, but also in the neighboring ones. The friends of the one robbed declare themselves ready to pursue the thief and track down the stolen head of cattle. If their investigation leads [692] to their discovering the ox or parts of it, so that the thief can be convicted, there are as a rule no judicial preceedings, since the perpetrator and his accomplices usually immediately declare themselves ready to pay the customary fine. If, however, the investi- [187] gation is without success, the person robbed turns to a sorcerer [694] (ol goiatiki), who, on the basis of an oracle (en gidon), gives him a description of the appearance of the thief, whereupon the one robbed will accuse of the theft a man who fits this description. The 695 one so accused appears in the following proceedings as defendant, 685 in the same way as, say, one who is charged on circumstantial [693] evidence. The one robbed selects as leader of the proceedings a respected old man who must have formerly once been speaker of • [202] the warriors. This man determines /219/ the day and place of the [237] proceedings and has this announced by a crier, who goes to the neighboring kraals, draws attention to himself by blowing a kudu or oryx horn, and informs the approaching people about the matter. Further, the judge summons plaintiff, defendant, and possibly witnesses by messengers. If the defendant refuses to appear, he is forcefully led up by friends of the plaintiff. Anyone may appear a as a witness. Relatives of the defendant may refuse both to give

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* 539 The plagues had created a hitherto unknown contrast of rich and poor. In order to alleviate this, to bring the impoverished back to well-being, Gulale arranged that the people of a larger circle gather together at the new moon of the seventh month, the ol ogunj' airodjerod. In this way he succeeded in having the tribal and lineage members meet at least once a year, become better acquainted and more closely joined. Apart from the fact that with the strengthening of the feeling of solidarity the sympathy for the fate of the impoverished tribal members grew, the new arrangement was primarily supposed to facilitate the kind of support prescribed in the sixth of the commandments imparted by Ol dirima. This feast on the seventh new moon of each year is called kitok n oloń esubaté. Messengers of the ol aigwenani announced the approach of the day in the individual districts, • [202] [534] within which the people were then called together by the sound of the antelope horns serving as trumpets, as is still customary now for every gathering.

Getobua gave birth to the boy Lengutok (engutok = mouth), who later, as a youth, was distinguished by great physical strength; if a lion approached the herd, he leaped upon it and strangled it with his hands. As a brave warrior, still young in years, he fell because of an arrow shot in battle against the el meg. Shortly before, he had married Lahaine, who had been named after a like-named mountain. After Lengutok's death she married an adopted son of Getobua, named Ngamnin, one of those orphaned children, and she bore him first a daughter, Nairenna. She was named this because at her birth the umbilical cord was wound around her neck (= os sotua erĩhaginno e murt). Nairenna later became the first midwife. Afterwards Getobua gave birth to the boy Gariuńgi. He invented the draw well (1).

1. ol gessimet, el gessimeti.

∞∞ There remain to be mentioned a few reminiscences from the primeval age of the Masai, which cannot be classified in any definite place in the foregoing chronological account of their tradition.